

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MINNESOTA

Travis Widner,

Case No.: _____

Plaintiff,

v.

**NOTICE OF REMOVAL TO
FEDERAL COURT**

Associated Banc-Corp d/b/a Associated
Bank,

Defendant.

To: Clerk of Court, United States District Court, District of Minnesota, 300 South Fourth Street, Suite 202, Minneapolis, MN 55415, and Plaintiff above-named.

PLEASE TAKE NOTICE, that Defendant Associated Banc-Corp d/b/a Associated Bank, by their undersigned attorney, remove this action from the District Court for the Second Judicial District for the State of Minnesota, Ramsey County, to the United States District Court for the District of Minnesota, pursuant to 28 U.S.C. §§ 1331, 1367.

In support of its Notice of Removal, Defendant states the following:

1. On or about December 4, 2020, Plaintiff served a Summons and Complaint upon Defendant. (Exhibit A).

2. Exhibit A constitutes all process, pleadings, and orders in this action.

3. Consistent with 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty (30) days of service of the Summons and Compliant upon Defendant.

4. This action has not been filed, and therefore, no Notice of Filing of Removal has been filed with the Minnesota District Court, Second Judicial District, Ramsey County, as required by 28 U.S.C. § 1446(d),

5. Copies of this Notice of Removal have been served upon Plaintiff as verified by the Certificate of Service attached as Exhibit B.

JURISDICTION

6. Plaintiff's claims may be removed from the Minnesota District Court, Second Judicial District, Ramsey County, pursuant to 28 U.S.C. §§ 1441 and 1331 (federal question jurisdiction) because the District of Minnesota is the District embracing the place where the action is pending.

7. The United States District Court for the District of Minnesota has original jurisdiction over Plaintiff's claims pursuant to 28 U.S.C. § 1331 because this action constitutes a claim by Plaintiff for violation of federal statute. Plaintiff

specifically alleges a claim under the America with Disabilities Act 42 U.S.C. § 12101 *et seq.* (See Compl. ¶¶ 39-58, Exhibit A).

8. Nothing in this Notice of Removal should be construed as a waiver of any defenses by Defendant.

9. If any question arises as to the propriety of the removal of this action, Defendant respectfully requests the opportunity to brief any disputed issues and to present oral argument in support of their position that this case is properly removable.

WHEREFORE, Defendant Associated Banc-Corp d/b/a Associated Bank hereby move this action from the District Court for the Second Judicial District, Ramsey County, Minnesota, to the United States District Court for the District of Minnesota, and requests that this Court take jurisdiction of this action to the exclusion of any further proceedings in State Court.

LATHROP GPM

By s/ Julia Dayton Klein

Julia Dayton Klein (#319181)

julia.daytonklein@lathropgpm.com

500 IDS Center

80 South Eighth Street

Minneapolis, MN 55402

Telephone: (612) 632-3153

Dated: December 21, 2020

**ATTORNEYS FOR DEFENDANT
ASSOCIATED BANC-CORP D/B/A
ASSOCIATED BANK**

GP:4819-1131-6693 v1